

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of  
KWOK et al.

Serial No. 10/700,252

Filed: November 4, 2003

For: FOREHEAD SUPPORT FOR FACIAL MASK



Atty. Ref.: 4398-303

TC/A.U.: 3743

Examiner: Nihir B. Patel

\* \* \* \* \*

August 17, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR ACKNOWLEDGEMENT OF PRIORITY CLAIM**

Applicants note in Box 3c) of the Notice of Allowability mailed August 8, 2006 that the certified copy of the priority document is indicated as not being received. Attached hereto is a copy of the Transmittal of Priority Document and date stamped receipt that was filed in parent application No. 09/502,745 of which the above-identified application is a continuation.

Applicants request that a Supplemental Notice of Allowability be forwarded to the undersigned acknowledging the priority claim to Australian Application No. PQ 1040 filed June 18, 1999.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

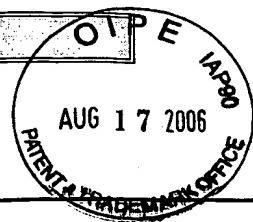
Paul T. Bowen  
Reg. No. 38,009

PTB:jck  
Attachments

901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

**RECEIPT FROM PTO FOR INDICATED ITEMS**

(Do NOT Use for New or Continuing Applications of Any Kind)  
 Use 2 postcards for all New Applns. (cont/Div/CIP, too)  
Use this sheet when filing CPA



Appln. No: 09/502,745	Atty: Glenn J. Perry
First Inventor: KWOK	Date: August 1, 2000
	Matter No: 270873
	Client No: 74066

**ENCLOSED:**

Response/Amendment     Cover Sheet     Cited>Listed Documents

Completion Request for R-53(f)/PCT Nat.

#      No. of Pages Abstract

#      No. of Pages Spec and Claims

#      No. of Numbered Claims Only

#      No. of Sheets of Drawings (Figs)

1 Set Formal     1 Set Informal     Cover Letter

Declaration

# of Pages

Assignment

Cover Sheet

Small Entity Declaration

Extension Petition (PAT-111)

#  No. of Priority Documents

IDS Letter     Citing Appln(s)

Foreign Sch Rep/OA

PTOL-1449  Cited Documents

Issue Fee Transmittal Form PTOL-85(b) + (c)

\$  070

Fee ((Check))



OTHER:

Current DUE DATE:

August 1, 2000

(Submit Single Copy Only)

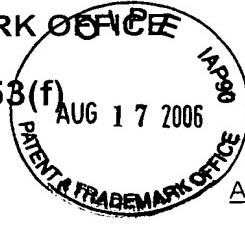
**BEST AVAILABLE COPY**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT  
APPLICATIONCOMPLETION Under  
Rule 53(f)

Attn: Application Division

In re PATENT APPLICATION of

Inventor(s): KWOK et al

Appn. No.: 09

Series Code ↑

502,745

Serial No. ↑

Atty.Dkt.

PM

270873

M#

P75US1

Client Ref

Filed: February 11, 2000

Title: FOREHEAD SUPPORT FOR FACIAL MASK

Hon. Asst. Commissioner of Patents  
Washington, DC 20231

Date: August 1, 2000

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts**  copy attached  not yet received
2.  Signed Declaration attached.  Original  Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A.  Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B.  The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3.  Specification originally filed in non-English language; hence verified translation attached of:  
 a.  Abstract  
 b. #  pages of Specification(only spec. & claims)  
 c.  Drawing(s)  No of Sheets  
 Fig(s).

4.  Letter filing formal drawing attached.

5.  Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in Australia

8.

Application No.	Filing Date	Application No.	Filing Date
(1) PQ1040	June 18, 1999	(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

9. 1 (No.) Certified copy (copies):  attached;  previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_
10.  Attached: \_\_\_\_\_ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
11.  Attached: International Search Report, Form PTO-1449 and cited references
12.  Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity	Fee Code
13. Basic Filing Fee .....		.Design Application Not Design Application	\$310/\$155 \$690/\$345	+690	106/26 101/201
14. Total Effective Claims	16	minus 20 =	0	x \$18/\$9	+0
15. Independent Claims	2	minus 3 =	0	x \$78/\$39	+0
16. If <u>any</u> proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)			\$260/\$130	+0	104/204
17. Surcharge for filing Declaration/filing fee late			\$130/\$65	+130	105/205
18.			FILING FEE ENCLOSED =	\$820	
19. Original due date:	July 1, 2000				
20. Petition is hereby made to extend the <u>original</u> due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2mos) (3mos) (4mos)	\$110/\$55 = \$380/\$190 = \$870/\$435 = \$1360/\$680 =	+110	115/215 116/216 117/217 118/218	
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .		\$130	+0	139	
22. If "assignment" box 5 is X'd, add recording fee. . . . .		\$40	+40	581	
23. Petition Fee for		\$130	+0		
24.		TOTAL FEE ENCLOSED =	\$970		

Our Deposit Account No: 03-3975

Our Order No. 74066

270873

C#

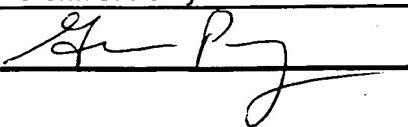
M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Madison & Sutro LLP  
Intellectual Property Group

1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918  
Tel: (202) 861-3000  
Atty/Sec: GJP/MLM

By Atty: Glenn J. Perry Reg. No. 28458

Sig:  Fax: (202) 822-0944  
Tel: (202) 861-3070

**NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments**



Patent Office  
Canberra

**BEST AVAILABLE COPY**

I, ANNA MAIJA MADL, ACTING TEAM LEADER EXAMINATION SUPPORT & SALES hereby certify that annexed is a true copy of the Provisional specification in connection with Application No. PQ 1040 for a patent by RESMED LIMITED filed on 18 June 1999.

I further certify that pursuant to the provisions of Section 38(1) of the Patents Act 1990 a complete specification was filed on 11 February 2000 and it is an associated application to Provisional Application No. PQ 1040 and has been allocated No. 16355/00.

WITNESS my hand this  
Eighteenth day of February 2000

*A. M. Madl.*

ANNA MAIJA MADL  
ACTING TEAM LEADER  
EXAMINATION SUPPORT & SALES





S & F Ref: 463270

ORIGINAL

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AUSTRALIA

Patents Act 1990

**PROVISIONAL SPECIFICATION FOR THE INVENTION ENTITLED:**

Forehead Support for Facial Mask

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Name and Address  
of Applicant: ResMed Limited, an Australian company, ACN 003 765 142,  
of 97 Waterloo Road, North Ryde, New South Wales, 2113,  
AUSTRALIA

Names of Inventors: Philip Rodney Kwok, Michael Kassipillai Gunaratnam,  
Perry David Lithgow, Jonathan Paul Harrison, Jonathan  
Lee Liston and Robert Stephen Matchett.

This invention is best described in the following statement: